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Official
4/25/03

REMARKS

The item numbers used below correspond to the numbers used by the Examiner in the Office Action mailed 4/25/03.

Claim Rejections - 35 USC §102

Claims 1-4, 13, 15-16, and 25 are rejected under 35 USC §102(e) as being unpatentable over Hosaka et al. (USPN 5,896,292, hereinafter "Hosaka").

2 & 17-20. Referring to claim 1, Applicants have amended the claims, as exemplified in claim 1, to now include the limitations not disclosed in Hosaka of:

"A method...a processing system for processing and programming a microdevice comprising the steps of:
providing processing and programming information for a microdevice as a task; ...
performing the task using the programming information to program the microdevice [deletion for clarity]

The support for the above amendment regarding combining both processing and programming information for the microdevice as a task is in Specification page 5, lines 26-29:

"A "task" is defined as all the information necessary to process a component, such as a programmable electronic microdevice (programmable electronic microdevices include, but are not limited to, electronically erasable read only memory (EEPROM), microcontrollers, and microprocessors)" [underlining for clarity]

The support for the above amendment regarding the performing the task using the programming portion of the information to program the microdevice is in Specification page 6, lines 22-24:

"The TaskLink program then proceeds to a "Program Microdevices" block 52. This block will be described in greater detail with reference to FIGs. 3A-3C for on-line systems and FIGs. 4A-4B for off-line systems." [underlining for clarity]

Initially, it is respectfully submitted that the standard for anticipation under 35 USC §102(e) is that a reference must "disclose" the claimed invention and not that it merely "teach" or suggest the claimed invention. To support a rejection of a claim under 35 U.S.C. §102(e), Constant v. Advanced Micro Devices, Inc., 7 USPQ2d 1057 at 1064 states:

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"A claim is anticipated only if each and every element *as set forth in the claim* is found, either expressly or inherently described in a single prior art reference. (Kalman v Kimberley Clark Corp., 713 Fed. 2nd 760, 771, 22 USPQ 781, 789 (Fed. Circ. 1983), *Cert. Denied*, 465 U.S. 1026 [224 USPQ 520]), 1984." [emphasis in original]

On the above basis, Hosaka discloses a system having a monitor computer (6504, 6604) for monitoring, analyzing, and creating software for a control computer (6509, 6609) to control actuators (6510, 6610) and sensors (6511, 6611) in a processing system for devices, which work automatically. More specifically, Hosaka actually describes a system for adjusting/measuring a laser-beam printer as stated in Hosaka column 4, lines 38-50:

"...the automatic system is a system for adjusting/measuring a laser-beam printer...characterized in that a value relating to production performance of the laser-beam printer is analyzed based upon...data that has been stored in the memory. More specifically, the [laser-beam printer]...is an image forming apparatus which forms an image by exposing a photoreceptor material to a ... light beam, characterized in that the production facility has adjusting means, which includes an optical system, for adjusting a reflective mirror which adjusts scanning position when the light beam of the image forming apparatus scans the photoreceptor material." [deletions, underlining, and insertions for clarity]

Thus, taken as a whole, Hosaka does not disclose expressly or inherently the "providing processing and programming information for a microdevice as a task" since Hosaka does not disclose providing a combination of information; e.g., both information to make adjustments to the device as well as information to program the device. In Hosaka, the tasks are the steps for making the individual adjustments/measurements of control actuators and sensors. The programming is for the control computer rather than the device.

Assuming for the sake of argument that Hosaka does disclose processing information, Hosaka does not disclose programming of the automatically working device. In particular, Hosaka does not disclose providing programming information for a microdevice, the programming of which is the purpose of the method. There is no disclosure that Hosaka devices, the laser-beam printers, are devices that are programmable by either the monitor computer or the control computer.

6 & 21. Claim 13 has been amended in accordance with claim 1 to distinguish from Hosaka for the same reasons.

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7 & 22. With regard to claim 25, this dependent claim depends from independent claim 13 and is believed to be allowable since it contains all the limitations set forth in the independent claim from which it depends and claims unobvious combinations thereof such as the information being provided "using a portable memory medium"; e.g., a computer disc, memory stick, etc. The Hosaka computers can be on and off line, but when off line, information is not transferred to and from the monitor computer's memory to the control computer. The Hosaka control computer does not operate off line from the processing system.

3-5. Referring to claims 2-4, 15-16, and 25, these dependent claims depend from amended independent claims 1 and 13, and are believed to be allowable since they contain all the limitations set forth in the amended independent claim from which they depend and claim additional unobvious combinations thereof.

Based on the above, it is respectfully submitted that the amended claims are allowable and the claims 1-4, 13, 15-16, and 25 are not anticipated under 35 USC §102(e) and are patentable over Hosaka.

Claim Rejections - 35 USC §103

In view of the citation of multiple references and the principal heading, it is believed the following rejections are actually under 35 USC §103(a) and not 35 USC §102(e) and, therefore, are addressed as such.

Claims 5, 9-11, 17, and 21-23 are rejected under 35 USC §103(a) as being unpatentable over Hosaka et al. (US 5,896,292, hereinafter "Hosaka") in view of Fujino et al. (USPN 5,262,954, hereinafter "Fujino").

8-11 & 23-25. Referring to claims 8, 9-11, 17 and 21-23, these dependent claims depend from amended independent claims 1 and 13, and are believed to be allowable since they

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contain all the limitations set forth in the amended independent claim from which they depend and claim additional unobvious combinations thereof.

Fujino discloses a system having a host controller 2 for automatic working devices to move and process objects. More specifically, Fujino actually describes an automated printed-wiring board assembly and manufacturing system, where the objects are printed circuit boards [Fujino Abstract, Fujino column lines 5-18]. As well known to those having ordinary skill in the art, programming is not performed during wiring board manufacturing and assembly. Thus, Fujino does not teach or suggest "providing processing and programming information for a microdevice as a task".

Even assuming for the sake of argument that Hosaka does teach or suggest processing information, Fujino does not disclose programming of the objects, such as circuit boards, so at best, the combination of Hosaka processing in view of Fujino processing teaches no more than Hosaka alone.

Based on the above, it is respectfully submitted that claims 5, 9-11, 17 and 21-23 are unobvious under 35 USC §103(a) and are patentable over Hosaka in view of Fujino.

Claims 6 and 18 are rejected under 35 USC §103(a) as being unpatentable over Hosaka et al. (USPN 5,896,292, hereinafter "Hosaka") in view of Fujino et al. (USPN 5,262,954, hereinafter "Fujino") and further in view of Nagatomo et al. (USPN 4,544,318, hereinafter "Nagatomo").

12 & 26. Referring to claims 6 and 18, these dependent claims depend from independent claims 1 and 13, and are believed to be allowable since they contain all the limitations set forth in the amended independent claim from which they depend and claim additional unobvious combinations thereof.

It is respectfully submitted that Nagatomo discloses a system for processing semiconductor wafers before forming microdevices and before any processing and programming information for a microdevice can be used. Nagatomo column 1, lines 20-23, states:

"...it [the invention] relates to a processing system for semiconductor wafers for manufacturing semiconductor devices in the semiconductor industry." [deletions, insertions and underlining for clarity]

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It is respectfully submitted that it is well known in the art that semiconductor wafers must be processed, diced, and packaged into micro devices before they can be programmed. Therefore, Nagatomo in teaching a frontend system cannot teach or suggest the claimed limitations related to a backend system. Nagatomo cannot disclose "providing processing and programming information for a microdevice as a task".

Even assuming for the sake of argument that Hosaka does disclose processing information, Fujino and Nagatomo do not disclose programming of devices. Again, at best, the combination of Hosaka processing in view of Fujino processing in view of Nagatomo processing teaches no more than Hosaka alone.

Based on the above, it is respectfully submitted that claims 6 and 18 are unobvious under 35 USC §103(a) and are patentable over Hosaka in view of Fujino and further in view of Nagatomo.

Claims 7 and 19 are rejected under 35 USC §103(a) as being unpatentable over Hosaka et al. (USPN 5,896,292, hereinafter, "Hosaka") in view of Fujino et al. (USPN 5,262,954, hereinafter, "Fujino") and further in view of Csipkes et al. (USPN 6,167,401, hereinafter, "Csipkes").

13 & 27. Referring to claims 13 and 19, Applicants withdraw the previous arguments related to serialization and rely for allowability on these dependent claims depending from amended independent claims 1 and 19 respectively.

Claims 8 and 20 are rejected under §35 U.S.C. 103(a) as being unpatentable over Hosaka et al. (USPN 5,896,292, hereinafter, "Hosaka") in view of Grundy et al. (USPN 5,224,055, hereinafter, "Grundy").

14 & 28. Referring to claims 8 and 20, these dependent claims depend from independent claims 1 and 13, and are believed to be allowable since they contain all the limitations set forth in the amended independent claim from which they depend and claim additional unobvious combinations thereof.

Grundy discloses a circuit design system having a computer 2, a configurable logic device 4 for simulating digital components, and a design tablet device 6 for connecting

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analog components. Grundy has kits, which are groups of software simulated digital components and groups of hardware analog components. The signals of kit parts can be computer connected and energized in various combinations to provide a simulated circuit design.

Grundy, thus, does not teach or suggest combining a plurality of tasks to define a kit and performing the tasks of a kit through an off line connection since the simulated and actual components must be on line with the computer to work.

Based on the above, it is respectfully submitted that claims 8 and 20 are unobvious under 35 USC §103(a) and are patentable over Hosaka in view of Grundy.

Claims 12 and 24 are rejected under 35 USC §103(a) as being unpatentable over Hosaka et al. (USPN 5,896,292, hereinafter, "Hosaka") in view of Csipkes et al. (USPN 6,167,401, hereinafter, "Csipkes").

15 & 29. Referring to claims 12 and 24, these dependent claims depend from amended independent claims 1 and 13, and are believed to be allowable since they contain all the limitations set forth in the amended independent claim from which they depend and claim additional unobvious combinations thereof.

Based on the above, it is respectfully submitted that claims 12 and 24 are unobvious under 35 USC §103(a) and are patentable over Hosaka in view of Csipkes.

Arguments

Applicants appreciate the Examiner's detailed and diligent response, and have amended the claims as indicated above. Further explanation has been provided to distinguish the claimed combination from the cited references.

16. Applicants appreciate withdrawal of the previous 35 USC 112 rejections.

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Conclusion

In view of the above, it is submitted that the claims are now in condition for allowance and reconsideration of the rejection is respectfully requested. Allowance of claims 1-25 at an early date is solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any surcharge in fees due in connection with the filing of this paper, including any extension of time fees, to Deposit Account No. 50-0374 and please credit any excess fees to such deposit account.

Respectfully submitted,

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